

**Appeal No. 2023-1922**

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**UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT**

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BEARBOX LLC, AUSTIN STORMS,

*Plaintiffs - Appellants,*

v.

LANCIUM LLC, MICHAEL T. MCNAMARA, RAYMOND E. CLINE, JR.,

*Defendants - Appellees.*

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Appeal from the United States District Court for the District of Delaware in  
Case No. 1:21-cv-00534, Judge Gregory B. Williams

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**REPLY IN SUPPORT OF  
MOTION OF PLAINTIFFS-APPELLANTS FOR A 35-DAY EXTENSION  
OF TIME TO FILE THE PRINCIPAL BRIEF  
FOR PLAINTIFFS-APPELLANTS**

Benjamin T. Horton  
John R. Labbe  
Raymond R. Ricordati, III  
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233 South Wacker Drive  
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*Counsel for Plaintiffs-Appellants  
BearBox LLC and Austin Storms*

July 10, 2023

The Plaintiffs-Appellants' Motion for a 35-day extension of time sets forth sufficient reasons for the requested extension.

Defendants-Appellees have not identified any reason they would be prejudiced by a 35-day extension. Five weeks is a reasonable extension of time for completing a principal brief.

Accordingly, Plaintiffs-Appellants respectfully request that the Court grant its Motion for a 35-day extension of time to file the principal brief for Plaintiffs-Appellants through and including August 25, 2023.

Date: July 10, 2023

Respectfully submitted,

/s/ Benjamin T. Horton  
Benjamin T. Horton  
John R. Labbe  
Raymond R. Ricordati, III  
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*Counsel for Plaintiffs-Appellants  
BearBox LLC and Austin Storms*

FORM 9. Certificate of Interest

Form 9 (p. 1)  
March 2023

**UNITED STATES COURT OF APPEALS  
FOR THE FEDERAL CIRCUIT**

**CERTIFICATE OF INTEREST**

**Case Number** 2023-1922

**Short Case Caption** BearBox LLC v. Lancium LLC

**Filing Party/Entity** Plaintiffs-Appellants BearBox LLC and Austin Storms

**Instructions:**

1. Complete each section of the form and select none or N/A if appropriate.
2. Please enter only one item per box; attach additional pages as needed, and check the box to indicate such pages are attached.
3. In answering Sections 2 and 3, be specific as to which represented entities the answers apply; lack of specificity may result in non-compliance.
4. Please do not duplicate entries within Section 5.
5. Counsel must file an amended Certificate of Interest within seven days after any information on this form changes. Fed. Cir. R. 47.4(c).

I certify the following information and any attached sheets are accurate and complete to the best of my knowledge.

Date: 07/10/2023

Signature: /s/ Benjamin T. Horton

Name: Benjamin T. Horton

## FORM 9. Certificate of Interest

Form 9 (p. 2)  
March 2023

<b>1. Represented Entities.</b> Fed. Cir. R. 47.4(a)(1).	<b>2. Real Party in Interest.</b> Fed. Cir. R. 47.4(a)(2).	<b>3. Parent Corporations and Stockholders.</b> Fed. Cir. R. 47.4(a)(3).
Provide the full names of all entities represented by undersigned counsel in this case.	Provide the full names of all real parties in interest for the entities. Do not list the real parties if they are the same as the entities.  <input checked="" type="checkbox"/> None/Not Applicable	Provide the full names of all parent corporations for the entities and all publicly held companies that own 10% or more stock in the entities.  <input checked="" type="checkbox"/> None/Not Applicable
BearBox LLC		
Austin Storms		

☐ Additional pages attached

## FORM 9. Certificate of Interest

Form 9 (p. 3)  
March 2023

**4. Legal Representatives.** List all law firms, partners, and associates that (a) appeared for the entities in the originating court or agency or (b) are expected to appear in this court for the entities. Do not include those who have already entered an appearance in this court. Fed. Cir. R. 47.4(a)(4).

☐ None/Not Applicable

☐ Additional pages attached

Marshall Gerstein & Borun: John J. Lucas		
Ashby & Geddes: Andrew C. Mayo		

**5. Related Cases.** Other than the originating case(s) for this case, are there related or prior cases that meet the criteria under Fed. Cir. R. 47.5(a)?

☐ Yes (file separate notice; see below) ☒ No ☐ N/A (amicus/movant)

If yes, concurrently file a separate Notice of Related Case Information that complies with Fed. Cir. R. 47.5(b). **Please do not duplicate information.** This separate Notice must only be filed with the first Certificate of Interest or, subsequently, if information changes during the pendency of the appeal. Fed. Cir. R. 47.5(b).

**6. Organizational Victims and Bankruptcy Cases.** Provide any information required under Fed. R. App. P. 26.1(b) (organizational victims in criminal cases) and 26.1(c) (bankruptcy case debtors and trustees). Fed. Cir. R. 47.4(a)(6).

☒ None/Not Applicable

☐ Additional pages attached


FORM 19. Certificate of Compliance with Type-Volume Limitations

Form 19  
July 2020

**UNITED STATES COURT OF APPEALS  
FOR THE FEDERAL CIRCUIT**

**CERTIFICATE OF COMPLIANCE WITH TYPE-VOLUME LIMITATIONS**

**Case Number:** 2023-1922

**Short Case Caption:** BearBox LLC v. Lancium LLC

**Instructions:** When computing a word, line, or page count, you may exclude any items listed as exempted under Fed. R. App. P. 5(c), Fed. R. App. P. 21(d), Fed. R. App. P. 27(d)(2), Fed. R. App. P. 32(f), or Fed. Cir. R. 32(b)(2).

The foregoing filing complies with the relevant type-volume limitation of the Federal Rules of Appellate Procedure and Federal Circuit Rules because it meets one of the following:

- ☒ the filing has been prepared using a proportionally-spaced typeface and includes 73 words.
- ☐ the filing has been prepared using a monospaced typeface and includes \_\_\_\_\_ lines of text.
- ☐ the filing contains \_\_\_\_\_ pages / \_\_\_\_\_ words / \_\_\_\_\_ lines of text, which does not exceed the maximum authorized by this court's order (ECF No. \_\_\_\_\_).

Date: 07/10/2023

Signature: /s/ Benjamin T. Horton

Name: Benjamin T. Horton